

From: Jane Flowers Finch [janeflowersfinch@aol.com]
Sent: 1/26/2018 6:59:03 AM
To: Cooper, Roy A [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f6d90b86b0494f09b93aa1a4e303b007-racooper]
Subject: [External] Fwd: Atlantic Coast Pipeline

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Begin forwarded message:

From: Jane Flowers Finch <janeflowersfinch@aol.com>
Date: January 25, 2018 at 3:33:24 PM EST
To: Ken Eudy <keneudy@gmail.com>, keneudy@nc.gov
Cc: jeremytarr@nc.gov, Michael Regan <michael.regan@ncdenr.gov>
Subject: Atlantic Coast Pipeline

Dear Ken,

I plead with you for the opportunity to meet with the Governor immediately about the ACP. If he has had any meetings or phone calls from the powers of Duke Energy, he should at least meet with concerned citizens. I plead with you to convey to him all matters addressed below.

Rumors are flying that Governor Cooper is intending to immediately allow certificates for the ACP. This cannot be nothing more than political pressure from Duke Energy. I urge him to not proceed in that direction. Evidence is accumulating that is going to reflect poorly on this decision. The holidays, sickness and the weather has slowed delivery of results from investigations and concrete evidence(not speculation or theory) of the negative cumulative impact, as well as the fallacy with regard to economic development needs being solved by this pipeline.

A recent article implied that the reason these areas are struggling is because there is no gas. That argument is absolutely ridiculous. That is the selling strategy of the ACP. They have wine, dined and courted local officials to sell this "theory" to them. There is no 36" pipeline from West Virginia like the ACP in Raleigh, Durham, Chapel Hill, Greenville, Wilmington, Greensboro, Winston Salem. That the pipeline is the solution to the economic woes of Eastern North Carolina, is a theory concocted in the Duke Energy Board Room to justify this expensive infrastructure on the backs of North Carolina citizens for them to make a profit of over 14%!(An amount the NC Utilities Commission finds excessive). Other pipelines have not seen that kind of return on their investment. Unfortunately they have convinced too many politicians to believe them. The real truth is that these communities need water and sewer first and foremost, as well as other infrastructure and better education, not gas.

I spent yesterday in Northampton County reviewing and copying every Easement Agreement filed by the ACP. There are some with absolutely no indemnity provision. And I was astounded to learn that Northampton County is to become the dumping ground for Duke Energy's coal ash on top of the Compressor Station for the pipeline. The Compressor Station pollutes the air as

well as being loud. The poor people of Northampton County are being led to believe they are being helped with economic development by becoming the dumping ground for toxins for coal ash and natural gas release at a compressor station. Polluting the soil and the air! I am appalled! Further, I know that land values may not be high in Northampton County, but there is no justification for the volumes of extremely low settlements in that county. It is called taking advantage of under privileged people. Yet again, disparitive treatment of minorities. The evidence on the negative cumulative impact is very real and strong.

I know that Duke Energy, Dominion, NC Public Service Gas are large campaign donors to the Governor directly and indirectly. While the NC Ethics Act allows campaign contributions, the appearance and implications is not good. The Washington Post, The Associate Press and The Richmond Times have ridden this issue in Virginia and you can fully expect the same to follow in North Carolina. Additionally, as I mentioned earlier, there are ethical concerns in the legislature.

The land agents have been out in the last several weeks raising their offers and giving landowners 8 hours to take it or leave it. What justification is there for this kind of bargaining? This is not acceptable conduct for eminent domain. I sent you an article a while back from the Texas Tribune of challenges to settlements in eminent domain for the Mexican/Texas border wall built during the Obama administration. The conduct of the federal government has been challenged and it appears to be a successful challenge. This is legal precedence to challenge the conduct of Duke Energy and the ACP in their strategies in obtaining the Easement Agreements. These challenges are going on even after the wall has been constructed.

Further, the economic development arguments really do not fly. There is no access to the gas as it passes through Northampton, Halifax, Nash and Wilson Counties! If there are no spigots to get the gas, it is not going to be available. The Governor should not buy into the argument of the ACP that they can just add a tap without consulting with independent outside experts. The Governor needs to confer with an independent attorney very knowledgeable with FERC and the process for structural changes after approval of a pipeline and post construction. Also, the Governor should confer with an independent engineer knowledgeable about large pipeline structures to address a change such as adding a tap after the final plans are approved or after construction. I can provide names and numbers of people with these credentials if the Governor is interested in talking with them.

This need for Gas is greatly exaggerated. Duke Energy and Dominion have flat lied about the Pipeline from the beginning. When parties lie, how do you know the truth? Which promises should we believe? And if they fail to honor them, who can do something about it?

I know that Governor Cooper is getting pressure from the big money donors from Duke Energy. But the voters elected him. There is a right answer, and it is to not rush into the pipeline because Duke Energy wants to start construction now.

The two new members of FERC who rendered the ACP decision had only been on the Commission for a few weeks before making a decision. The long term more experienced member dissented against the ACP. It is unlikely that these new member could have possibly reviewed even a portion of the information and materials presented by proponents and opponents to the pipeline.

Fortunately, Senator Tim Kaine of Virginia understands the problems with the ACP and has requested further review of the ACP by FERC. We are most grateful for his attention to the real concerns.

I would be most grateful for an opportunity to talk with the Governor or you about the ACP as soon as possible.

Thank you for your time and attention.

My best,

Jane Flowers Finch
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(919) 264 9779

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